



3. I received my B.A. from Texas A&M University in 2003, graduating *magna cum laude*, and my J.D. from the University of Houston Law Center in 2008, graduating *cum laude*.

4. I have been licensed to practice law in the State of Texas since May 2009. I am admitted to practice in the following federal courts:

- a. All federal district courts in Texas;
- b. United States Courts of Appeals for the Fifth, Ninth, Tenth, Eleventh, and D.C. Circuits;
- c. Supreme Court of the United States

5. My practice, since establishing NLF in late 2010, has focused on state and federal political law, especially constitutional and election-related litigation. Aside from litigation, I also advise and represent candidates and officeholders, political committees, and nonprofit entities regarding campaign finance and ethics laws, including representation in proceedings before municipal ethics panels, the Texas Ethics Commission and Federal Election Commission.

6. Between October 2013 and the present, I have presented oral argument in seven cases in the Fifth Circuit, five of which were First Amendment cases, and another one involved both First and Fourth Amendment claims.<sup>1</sup> I secured at least partial success in six of those appeals, including four judgments reversing the district court. In 2022, I have presented argument in two other federal circuit courts—the D.C. Circuit and Eleventh Circuit—in petitions for review of federal agency orders under the Administrative Procedures Act. I have also argued constitutional and/or election cases in the First and Fourth Courts of Appeals of Texas. The First Court of Appeals case (*Villarreal v. Tex. Southern Univ.*), involving difficult constitutional and jurisdictional issues

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<sup>1</sup> Three of these Fifth Circuit oral arguments (including the merits appeal in *Pool*), as well as the arguments in the DC Circuit, Eleventh Circuit, and Texas Supreme Court (discussed below), were held after my initial declaration was filed earlier in this case (with the TRO fee request in November 2019).

regarding a law student's challenge to his dismissal, was accepted for review by the Supreme Court of Texas, and I presented that argument in December 2020.

7. My primary area of litigation is in challenges to restrictions on campaign finance or other political/speech activity under the First Amendment, including the following cases:

- I was co-counsel to lead plaintiff Shaun McCutcheon in *McCutcheon v. Fed. Election Comm'n*, 572 U.S. 185 (2014), a successful challenge to the federal biennial aggregate contribution limits that resulted in a landmark campaign finance decision from the United States Supreme Court. I was one of three campaign finance attorneys responsible for initiating the challenge to the aggregate limits. We determined that the aggregate limits were subject to renewed challenge in light of the Court's decision in *Citizens United v. Fed. Election Com'n*, 558 U.S. 310 (2010), which reiterated the narrow definition of quid pro quo corruption, and initiated the *McCutcheon* case in the FEC in 2012. I played an active role in the litigation throughout, including drafting substantive documents filed in the three-judge district court and consulting regarding strategy and briefing in the Supreme Court.
- Lead trial and appellate counsel in *Davidson v. City of Stafford, Tex.*, 848 F.3d 384 (5th Cir. 2017), including presentation of oral argument in the Fifth Circuit (securing a judgment reversing the trial court's summary judgment on the basis of qualified immunity), and securing favorable orders from the trial court on remand clarifying that a declaratory judgment would be entered against the City of Stafford, before settlement.
- Lead trial and appellate counsel in *Catholic Leadership Coal. of Tex. v. Reisman*, 764 F.3d 409 (5th Cir. 2014), at trial and on appeal, including presentation of oral argument in the Fifth Circuit in October 2013. I represented a nonprofit and several political committees from Bexar County in a successful challenge to a Texas statute that required newly-registered political committees to wait sixty days, and receive contributions from at least ten unique contributors, before being able to spend more than a certain amount of money. The Fifth Circuit reversed the district court, holding the statute facially unconstitutional. The case also included an unsuccessful challenge to another aspect of the registration requirement, and an unsuccessful challenge to the Texas-law ban on corporate contributions to political committees to the extent it applied to prohibit in-kind contributions of a political email list.
- Lead counsel in *Gordon v. City of Houston*, 79 F. Supp. 3d 676 (S.D. Tex. 2015), securing a preliminary injunction against enforcement of Houston's former temporal ban on candidate fundraising. The City did not appeal the ruling.
- Co-counsel in *Joint Heirs Fellowship Church v. Akin*, 629 Fed. Appx. 627 (2015). I was associated as co-counsel at the trial phase and presented rebuttal during oral argument in the Fifth Circuit. The panel affirmed the district court's holding that plaintiff churches lacked standing to challenge certain state statutes.
- Lead counsel representing an intervening party in *Stop Reckless Economic Instability Caused by Democrats v. Fed. Election Com'n*, 93 F. Supp. 3d 466 (E.D. Va. 2015), *aff'd*

*in part, vacated in part, remanded by Stop Reckless Economic Instability Caused by Democrats v. Fed. Election Com’n*, 814 F.3d 221 (4th Cir. 2016), *cert. denied*, 137 S. Ct. 374.

- Lead trial and appellate counsel in *Zimmerman v. City of Austin, Texas*, 881 F.3d 378 (5th Cir. 2018), *cert. denied sub nom. Zimmerman v. City of Austin, Tex.*, 139 S. Ct. 639, 202 L. Ed. 2d 492 (2018).
  - Lead trial and appellate counsel in *Fanning v. City of Shavano Park*, 5:18-cv-00803-XR, challenging a municipal sign code under the First Amendment and state law. *See Fanning v. City of Shavano Park*, 853 Fed. Appx. 951 (5th Cir. 2021) (mem.).
  - Lead trial counsel in *Cervini v. Cisneros, et al.*, No. 21-cv-565-RP (W.D. Tex.), defending two defendants from purported statutory claims arising from their driving alongside a Biden campaign bus displaying Trump flags in October 2020.
8. My practice involves a broad array of other matters, including the following notable cases:
- *Big Time Vapes, Inc. v. U.S. Food and Drug Admin.*, 427 F. Supp. 3d 831 (S.D. Miss. 2019), *aff’d*, 936 F.3d 436 (5th Cir. 2020), *cert. denied*, 141 S. Ct. 2746 (2021) – representation of trade association’s constitutional challenge to FDA regulations.
  - In October 2021, NLF filed seventeen separate petitions for review of marketing denial orders issued by the Food and Drug Administration, raising Administrative Procedure Act claims on behalf of seventeen individual clients, in five circuit courts of appeals (the Fifth, Ninth, Tenth, Eleventh, and DC Circuits). These cases were consolidated within each circuit under the following lead cases: *SWT Global Supply v. FDA*, No. 21-60762 (5th Cir.); *Nude Nicotine, Inc. v. FDA*, No. 21-71321 (9th Cir.); *Cloud 9 Vapor Products, LLC v. FDA*, No. 21-9578 (10th Cir.); *Diamond Vapor LLC v. FDA*, No. 21-13387 (11th Cir.); *Prohibition Juice Co. v. FDA*, No. 21-1201 (D.C. Cir.). We successfully moved for stays pending appeal in the Fifth and Eleventh Circuit cases, and I have now argued the merits in the D.C. Circuit and Eleventh Circuit, and will argue in the Ninth Circuit on August 11, 2020.
  - *New York State Rifle & Pistol Ass’n, Inc. v. Bruen*, 142 S. Ct. 2111 (2022) – NLF represented five gun rights groups in an amicus brief filed in 2021.
  - Lead trial and appellate counsel in *Rivera v. Lopez*, 13-14-00581-CV, 2014 WL 8843788 (Tex. App.—Corpus Christi May 14, 2014, no pet.). I successfully prosecuted an election contest in state court in a four-day bench trial, securing an order for a new election, and defending the judgment on appeal.
  - Lead appellate counsel in *Maverick County v. Felan*, 551 S.W.3d 229 (Tex. App.—San Antonio 2018, pet. denied), representing a county taxpayer seeking a writ of mandamus ordering the county to hold a tax rollback election. After oral argument in the Fourth Court of Appeals in San Antonio, the panel reversed the trial court judgment for Felan and dismissed the case.

- Lead trial and appellate counsel in *Galvan v Vera*, 04-18-00309-CV, 2018 WL 4096383 (Tex. App.—San Antonio Aug. 29, 2018), an unsuccessful election contest regarding the 2018 primary elections for Starr County Judge and Judge of the 229th Judicial District Court. The case was tried to the bench over five days, and the court of appeals affirmed judgment against contestants, but held that the trial court had erred in some applications of election law although the votes at issue were not enough to make up the margin of victory.
- Lead trial and appellate counsel in *Noteware v. Turner*, 01-18-00663-CV, 2019 WL 2180635 (Tex. App.—Houston [1st Dist.] May 21, 2019, pet. denied), an election contest challenging the City of Houston’s November 2017 election on a billion-dollar pension obligation bond measure currently pending in the First Court of Appeals.
- Lead trial and appellate counsel in *Villarreal v. Texas S. Univ.*, 570 S.W.3d 916 (Tex. App.—Houston [1st Dist.] 2018), reversed, 620 S.W.3d 899 (Tex. 2021) – representation of a dismissed law student in a due process challenge to the dismissal. The case presented a unique factual scenario that plaintiff argued is not properly categorized as an academic dismissal. I presented oral argument to the First Court of Appeals on October 24, 2018, and obtained a reversal of the trial court’s order granting a plea to the jurisdiction. However, the Supreme Court of Texas granted review, and I presented oral argument there in December 2020. The Supreme Court affirmed the dismissal.
- I also have been or currently am lead counsel representing plaintiffs in several other constitutional challenges in federal court brought under 42 U.S.C. § 1983. These include a due process challenge to certain Texas statutes regarding the process for denying mail-in ballots for purported mismatching signatures (*Galvan, et al. v. Pablos, et al.*, 18-cv-113 (S.D. Tex., McAllen Div.)); a First Amendment employment retaliation claim on behalf of eight plaintiffs against Hidalgo County and additional defendants (*Trevino, et al. v. Hidalgo County, et al.*, 15-cv-435 (S.D. Tex., McAllen Div.)); and a First Amendment employment retaliation claim on behalf of one plaintiff against the District Attorney for the 229th Judicial District and Starr County (*Garza v. Escobar, et al.*, 18-cv-249 (S.D. Tex., McAllen Div.)).

9. Prior to establishing Najvar Law Firm, PLLC, I practiced commercial litigation (mainly insurance defense) from July 2009 to March 2010 at Edison, McDowell & Hetherington LLP in Houston. During that time, I researched and drafted legal memoranda and complaints for filing in federal court on behalf of commercial clients, and represented such clients in status hearings in various state courts and in mediation.

10. I am familiar with the rates charged by litigation attorneys in Texas and in the federal Southern District, Houston Division. The hourly rates of \$400 for my legal services, \$400 for Paul Rossi’s, and \$250 for the legal services of associate Austin Whatley, are reasonable and well within

the typical range of hourly rates charged by litigation attorneys of equivalent experience and competence in the Southern District of Texas, Houston Division. Since 2021, I have had other paying clients whom I charged \$400 per hour for comparable litigation (and even some non-litigation work), and my normal rate is currently \$400.

11. I have kept detailed contemporaneous records reflecting the billable time and expenses incurred in representing plaintiffs in this matter, and I am personally familiar with the legal services provided in this case because I have performed the services or participated with co-counsel in performing such services. True and correct copies of these records relevant to this request are attached hereto. These statements were prepared in accordance with the normal billing practices at Najvar Law Firm, PLLC and reflect the exercise of billing judgment, in that only billable time and expenses are reflected on these statements. Normal billing practices of Najvar Law Firm include recording of detailed, contemporaneous timesheets to document billable tasks performed for clients. I personally spent the hours reflected on the attached time log on this case. I excised some line items (or portions of some line items) to exclude certain excessive or otherwise noncompensable time; these excisions are reflected in the longhand notations in the margins of the time sheets. (The notation “BJ” stands for “billing judgment.”) After excluding those amounts, my time sheets reflect a total of 356.4 compensable hours spent on this case (totaling \$142,573.36). I also prepared a table summary of my hours incurred, broken into 21 phases of the litigation (which track the subtotals/breaks in the time sheets), attached as Exhibit B to the accompanying motion.

12. Before submitting this fee request, I also reviewed Whatley’s time sheets in detail, in the context of the whole case and the time spent by Rossi and myself, in order to excise excessive,

duplicative, or otherwise noncompensable time. Those notations are similarly reflected in longhand in the margins of Whatley's timesheets.

13. Mr. Rossi, Mr. Whatley, and I have attempted and will continue to litigate this matter efficiently.

14. Moreover, this case presents fundamental issues of freedom of political speech and association for individuals and groups in Houston and throughout the State of Texas who will benefit from the judicial precedent secured.

15. As an attorney with substantial experience in constitutional and, in particular, First Amendment pre-enforcement litigation, I understand the importance of briefing the legal issues in any case, including issues surrounding standing and other justiciability doctrines, with precision in order to show the Court that my clients have standing and are entitled to the relief they seek. While it is easy to find caselaw stating the general principles of standing in a First Amendment context, it is necessary to go deeper than that and demonstrate standing based on the specific facts and circumstances in any given case, particularly where immediate, pre-enforcement relief is required, as here. The research and drafting hours incurred in this case were reasonable and necessary to present these issues with precision to the Court and present the best case possible in an attempt to secure emergency relief, and then to get the case reinstated on appeal and secure permanent relief, all against the Defendants' strenuous arguments otherwise. As the pleadings reveal, Plaintiffs had to address various strands of justiciability arguments raised by Defendants, both in an accelerated time frame prior to the July 1 hearing, and then continuing to explain doctrines of standing and mootness in subsequent phases of the case.

16. The hours spent by the other attorneys and myself in this case have been necessary and reasonable for the prosecution of this action. The costs incurred were likewise necessary and

reasonable and those costs and expenses in addition to attorneys' fees are not normally absorbed as part of my firm's overhead.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing statements are true and correct, and if called upon to testify I would testify competently as to matters stated herein.

Executed on August 9, 2022, in Harris County, Texas.

/s/ Jerad Najvar  
Jerad Wayne Najvar



**Najvar Law Firm, PLLC**

2180 North Loop West  
Suite 255  
Houston, TX 77018

281-404-4696 jerad@najvarlaw.com

**To Client:**

Trent Pool, et al

**Fee Statement**

*Revised - current rate*

Invoice #: 1315

Invoice Date: 11/12/2019

Due Date: 11/12/2019

**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
6/11/2019	Review selected pleadings in Lancton v Anna Russell (Firefighter pay parity petition case) for discussion/treatment of circulator requirement	0.81667	400.00	326.67
6/14/2019	Review draft complaint and brief in support of motion for emergency TRO; review articles VII-a and VII-b of Houston charter; note edits to suggest for correction and clarification of complaint	1	400.00	400.00
6/14/2019	Review Najvar's own prior research as to Houston circulator requirement/constitutionality; review Voting for America v Steen (5th Cir); email P. Rossi with thoughts; review Fifth Circuit citing references to Buckley	1.1	400.00	440.00
6/15/2019	Draft email to co-counsel and clients with suggested revisions to draft pleadings, regarding clarifying terminology as to initiative and referendum under the charter, facts regarding standing, etc.	0.9	400.00	360.00
6/18/2019	Revise draft complaint	1.1	400.00	440.00
6/19/2019	Phone w/ T. Pool	0.7	400.00	280.00
6/20/2019	Revise draft complaint (ensure consistent use of terminology with charter, revise background facts regarding standing and plaintiffs' history and intent, legal allegations)	<del>6</del> 3	400.00	<del>2,400.00</del> 1,200.00 BJ
6/20/2019	Email P. Rossi regarding status and revisions to complaint	0.1	400.00	40.00
6/20/2019	Phone w/ T. Pool regarding facts for complaint	0.2	400.00	80.00
6/21/2019	Phone w/ T. Pool regarding declaration	0.1	400.00	40.00
6/21/2019	Review emails w/ co-counsel regarding edits to facts in complaint; review edits by T. Pool; prepare verification form for plaintiff T. Pool; revise complaint; review draft brief in support; review complaint draft; review draft motion for TRO and revise; revise proposed order; file all documents and email to opposing counsel at City Attorneys' office	5.5	400.00	2,200.00

Thank you for your confidence.  
NLF EIN:27-4082586

**Statement Total****Payments/Credits****Client Balance Due**

**Najvar Law Firm, PLLC**

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Suite 255  
Houston, TX 77018

281-404-4696 jerad@najvarlaw.com

**To Client:**

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Date	Description	Hours	Rate	Amount
6/22/2019	Read cases regarding circulator standing, merits/standard of review of limits on circulators of petitions under First Amendment	3	400.00	1,200.00
6/23/2019	Research credible threat of enforcement element of injury in fact for pre-enforcement challenge, even in context of civil injury as basis; severability as to remedy; revise standing section of brief in support of motion for TRO	5	400.00	<del>2,800.00</del> 2,000.00 BJ
6/24/2019	Revise brief in support of motion for TRO, reviewing caselaw as necessary, sections on merits and remedy (revise for clarity, and to address difference between registration and residency requirement under particular language of charter, etc.)	3.88333	400.00	1,553.33
6/24/2019	Phone call w/ C. Peddie and S. Chauvin regarding City's position and potential agreed order; phone call w/ T. Pool to update status of case	0.3	400.00	120.00
6/24/2019	Review draft request for summonses and discuss process w/ A. Whatley	0.23333	400.00	<del>93.33</del> BJ
6/24/2019	Phone w/ P. Rossi regarding review of City's suggested affidavit language	0.3	400.00	120.00
6/24/2019	Review Zimmerman petition for certiorari citations regarding lack of federal court authority to impose a narrowing construction of state/local law, as relevant to defeating potential argument disclaiming enforcement; review Erznoznik v. City of Jacksonville; review citations to Zimmerman as to standing for facial First Amendment challenge	1.68333	400.00	673.33
	SUBTOTAL - THROUGH INVESTIGATION AND FILING COMPLAINT AND MOTION FOR TRO			13,566.66 <del>- 2,093.33</del> 11,473.33

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NLF EIN:27-4082586

**Statement Total**

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**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
6/25/2019	Review research by A. Whatley as to prevailing party status in context of settlement agreements; review selected cases as to same	0.8	400.00	<del>320.00</del> BJ
6/25/2019	Search for cases with agreed temporary restraining orders for examples to support request for same from Defendants	0.2	400.00	<del>80.00</del> BJ
6/25/2019	Review Arizona nonresident circulator requirements and draft proposed nonresident circulator affidavit; email same to opposing counsel with comments	0.9	400.00	360.00
6/25/2019	Phone call to case manager and leave voicemail regarding requesting TRO conference	0.1	400.00	40.00
6/25/2019	Discuss research regarding standing and relationship to mootness with A. Whatley; review Glass v Paxton regarding analysis of "subjective chill"; review notes from research in prior cases as to the argument that the clear text of a law prohibiting plaintiff's desired conduct confers injury in fact, despite a promise not to enforce, and begin reviewing cited cases; receive email from S. Chauvin with revised draft circulator forms and reply	5.25	400.00	2,100.00
6/26/2019	Revise complaint and email to T. Pool for review; receive signed verification from T. Pool	0.76667	400.00	306.67
6/26/2019	Receive notice of setting for Monday, July 1, from the court and discuss schedule and strategy regarding covering hearing considering conflict with Trevino pretrial hearing w/ A. Whatley, discuss strategy regarding additional briefing on justiciability; email clients and P. Rossi with notice of setting and thoughts as to conflict and coverage at TRO hearing	0.2	400.00	80.00

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**Invoice #:** 1315

**Invoice Date:** 11/12/2019

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**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
6/26/2019	Proofread First Amended Complaint and prepare exhibit A for filing; file amended complaint with Exhibits A-C; forward filed versions to opposing counsel and clients	0.8	400.00	320.00
6/26/2019	Phone w/ Trent Pool regarding setting for Monday and securing copy of Pool's deposition from HERO case from Andy Taylor	0.16667	400.00	66.67
6/27/2019	Research injury in fact caselaw in Fifth Circuit regarding chilled speech; phone calls w/ Trent Pool and P. Rossi regarding strategy and facts for TRO hearing and briefing; continue researching injury in fact for chilled speech, standards and applications close to our situation, and that a promise not to enforce a facial prohibition on speech is not effective to deny standing	9	400.00	3,600.00
6/27/2019	Review Defendants' brief in response to motion for TRO	0.3	400.00	120.00
6/28/2019	Review executed motion for pro hac vice admission from P. Rossi; prepare certificate of service; call opposing counsel for position on motion; file same	0.61667	400.00	<del>246.67</del> BJ
6/28/2019	Phone w/ Trent Pool regarding supplemental affidavit for response	0.2	400.00	80.00
6/28/2019	Review Seals v McBee closely (recent 5th Circuit opinion discussing standing where prosecution disavowed)	0.5	400.00	200.00
6/28/2019	Phone w/ P. Rossi regarding standing argument	0.1	400.00	40.00
6/29/2019	Research injury in fact from chilled speech, reasonable fear of enforcement factors and illustrations to apply to our situation; begin drafting response/reply	7.6	400.00	3,040.00

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Due Date: 11/12/2019

**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
6/30/2019	Draft argument section of response to motion to dismiss; review Supreme Court leading cases regarding lack of federal court authority to re-write state or local laws to locate best authority for points in response as to residency requirement inseparable from registered voter requirement (during flight to MFE); continue drafting response argument section; revise facts section; email draft response to A. Whatley for finalizing and filing	3.3	400.00	1,320.00
7/1/2019	Phone update from A. Whatley to discuss result of hearing; receive and review Judge Gilmore's TRO order late afternoon and confer w/ A. Whatley, P. Rossi, and clients regarding import of language for petition and gathering signatures SUBTOTAL - THROUGH TRO HEARING	1.5	400.00	600.00
				12,920.01
				- 646.67
7/3/2019	Phone w/ T. Pool regarding status of petition/signatures	0.05	400.00	20.00
7/5/2019	Texts w/ Trent Pool regarding plans to circulate for signatures in Houston	0.1	400.00	40.00
7/8/2019	Review copies of petition pages left by Trent Pool	0.23333	400.00	93.33
7/10/2019	Discuss strategy regarding offer for consent judgment with A. Whatley	0.1	400.00	40.00
7/11/2019	Review invoice and return of service from Austin Process; email Austin Process to request status as to whether a separate copy was served for the City Secretary	0.1	400.00	40.00
7/16/2019	Discuss w/ A. Whatley strategy for proposed agreed judgment and email instructions to A. Whatley for drafting same	0.2	400.00	80.00
7/17/2019	Review Fifth Circuit decision in City of Hearne v Johnson, regarding a city initiative petition claim, for relevance to Pool's claims/standing	0.3	400.00	120.00

12,273.34 requested

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**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
7/30/2019	File returns of service; review Defendants' pleadings to determine whether they responded to amended complaint	0.5	400.00	200.00
8/2/2019	Review example consent decrees; draft email to opposing counsel suggesting agreed final judgment or consent decree	0.33333	400.00	133.33
8/5/2019	Phone w/ S. Chauvin regarding negotiating potential agreed judgment and fees	0.1	400.00	40.00
8/9/2019	Review example consent decrees saved to file by A. Whatley; review Whatley's draft consent decree; begin draft proposed final judgment and permanent injunction	0.7	400.00	280.00
8/14/2019	Receive and review order of dismissal of all Plaintiffs' claims	0.2	400.00	80.00
8/23/2019	Prepare and file transcript request for July 1 TRO hearing, for purposes of challenging Judge Gilmore's statement in dismissal order that parties agreed case was moot; email copy to L. Wells to arrange payment	0.51667	400.00	206.67
8/23/2019	Review order of dismissal and research to ensure it's a final judgment to calculate deadlines; review treatise regarding finality	1.16667	400.00	466.67
8/23/2019	Phone w/ P. Rossi to update as to order of dismissal and discuss strategy for challenging, request fee/time log of P. Rossi's incurred time for purposes of negotiations with City	0.2	400.00	80.00
8/24/2019	Calendar deadlines for post-trial motion and fee motion	0.1	400.00	40.00
8/27/2019	Review caselaw [REDACTED]	1.41667	400.00	566.67

Thank you for your confidence.  
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**To Client:**  
Trent Pool, et al

**Fee Statement**

**Invoice #:** 1315

**Invoice Date:** 11/12/2019

**Due Date:** 11/12/2019

**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
	SUBTOTAL - MERITS			2,526.67
8/28/2019	Draft protective motion for attorneys' fees	2.1	400.00	840.00
8/28/2019	Draft protective motion for fees and expenses; draft proposed order; file same	1.66667	400.00	666.67
8/30/2019	Draft email to opposing counsel regarding next steps and seeking potential agreement as to agreed proposed judgment as part of Rule 59 motion	0.1	400.00	40.00
9/18/2019	Review City's response to the protective motion for fees, make certain notes for reply, and record thoughts as to next steps in relation to fees and Rule 59 motion.	0.46667	400.00	186.67
9/24/2019	Review protective motion for fees, Rule 59 motion, and Defendants' response to protective motion for fees and draft short reply regarding fees; file same	1.33333	400.00	533.33
11/12/2019	Review draft fee motion by A. Whatley and revise same; review Najvar time records and organize/edit for billing judgment and mark for inclusion as exhibit; review and revise Najvar affidavit	2.1	400.00	840.00
	SUBTOTAL - FEE MOTION FOR TRO PHASE			3,106.67

Thank you for your confidence.  
NLF EIN:27-4082586

**Statement Total** \$32,120.01

**Payments/Credits** \$0.00

**Client Balance Due** \$138,535.04



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**To Client:**

Trent Pool, et al

**Fee Statement**

**Invoice #:** 1401

**Invoice Date:** 10/28/2020

**Due Date:** 10/28/2020

**Matter:** Pool v Houston-appeal

Date	Description	Hours	Rate	Amount
	Review MFA v Klahr for relevant discussion and authorities regarding mootness in similar situation; review transcript of July 1 TRO hearing and note relevant parts	1.25	400.00	500.00
9/7/2019	Review caselaw regarding challenging sua sponte dismissal of claims (Davoodi and Luig); review citations in Fifth Circuit to Davoodi to seek authority most factually or legally analogous; expand outline of Rule 59 motion	1.68333	400.00	673.33
9/9/2019	Research additional Fifth Circuit caselaw regarding sua sponte dismissal for mootness by district courts; review selected pleadings and review TRO order; begin drafting facts section of Rule 59 motion	2.08333	400.00	833.33
9/9/2019	Draft facts section of Rule 59 motion; review petition pages collected by T. Pool	1.45	400.00	580.00
9/10/2019	Research caselaw seeking authority directly on point as to sua sponte dismissal for mootness, but find that the caselaw is mostly concerning dismissals for failure to state a claim; note exception for dismissals without prejudice and trace case references back to understand how such dismissals have been treated; draft grounds for Rule 59 motions section; draft argument section as to injury in fact and nominal damages	7.03333	400.00	2,813.33
9/11/2019	Draft and research caselaw regarding mootness and nominal damages, etc.	3.66667	400.00	1,466.67
9/12/2019	Draft Rule 59 motion; call T. Pool to discuss facts for second supplemental declaration and draft declaration; email same to T. Pool for review and signature; email draft motion to opposing counsel for conference purposes	4.65	400.00	1,860.00

Thank you for your confidence.  
NLF EIN:27-4082586

**Statement Total****Payments/Credits****Client Balance Due**



**Najvar Law Firm, PLLC**

2180 North Loop West  
Suite 255  
Houston, TX 77018

**Fee Statement**

281-404-4696 jerad@najvarlaw.com

Invoice #: 1401

Invoice Date: 10/28/2020

Due Date: 10/28/2020

**To Client:**

Trent Pool, et al

**Matter:** Pool v Houston-appeal

Date	Description	Hours	Rate	Amount
9/12/2019	Review signed second supplemental declaration from T. Pool; review and edit motion for substance and citations, etc.; finalize and file motion with exhibits and proposed order	1.65	400.00	660.00
9/13/2019	Download file-stamped Rule 59 motion with exhibits and save to file	0.1	400.00	<del>40.00</del> BJ
	SUBTOTAL - THROUGH FILING RULE 59 MOTION			9,426.66
10/9/2019	Review Plaintiffs' Rule 59 motion and review A. Whatley's draft reply; edit reply	2.01667	400.00	806.67
	SUBTOTAL - THROUGH FILING REPLY ISO RULE 59 MOTION			806.67
11/5/2019	Review Plaintiffs' reply in support of Rule 59 motion and court order denying same; consider strategy regarding filing for fees or seeking joint motion to defer fees until after appeal; draft email with recommendations to P. Rossi	1.2	400.00	480.00
12/3/2019	Review and revise notice of appeal; file same	0.3	400.00	120.00
12/11/2019	Receive and review letter regarding referral to Circuit Mediation Program and calendar initial conference call	0.1	400.00	40.00
12/11/2019	Prepare and file DKT-13 in district court; file same in Fifth Circuit; prepare and file notice of appearance in Fifth Circuit	0.7	400.00	<del>280.00</del> BJ
12/18/2019	Review relevant orders and pleadings and prepare list of issues for appeal to email to Circuit mediator, in response to Dec. 11 letter	1.38333	400.00	553.33
12/19/2019	Review statement of issues and attend phone conference w/ circuit mediator	0.36667	400.00	146.67
12/19/2019	Phone w/ mediator	0.6	400.00	240.00

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**To Client:**

Trent Pool, et al

**Fee Statement**

**Invoice #:** 1401

**Invoice Date:** 10/28/2020

**Due Date:** 10/28/2020

**Matter:** Pool v Houston-appeal

Date	Description	Hours	Rate	Amount
	SUBTOTAL - NOTICE OF APPEAL AND CIRCUIT MEDIATION PROCESS			1,860.00
1/24/2020	Review calendar in light of additional obligations; draft email to opposing counsel regarding planned request for extension of brief deadline	0.4	400.00	160.00
1/27/2020	Draft and file request for level one extension for appellants' brief	0.8	400.00	320.00
2/21/2020	Discussions w/ A Whatley regarding argument as to voluntary cessation doctrine and organization of brief	0.2	400.00	80.00
2/24/2020	Discuss organization of brief w/ A. Whatley and potential argument as to repeal by implication; review outline	0.66667	400.00	266.67
2/25/2020	Review selected trial court briefing, primarily to determine City's first reference to new circulator affidavit and note the distinctions in the arguments before and after the TRO; discussions w/ A. Whatley of specifics of new affidavit and potential arguments against it, potential request to amend complaint to challenge those requirements	1.83333	400.00	733.33
2/25/2020	Review Fontenot v McCraw regarding standing and mootness	0.43333	400.00	173.33
2/26/2020	Prepare record excerpts	0.86667	400.00	346.67
2/26/2020	Review mootness caselaw and outline argument on voluntary cessation doctrine	3.11667	400.00	1,246.67
2/27/2020	Research mootness and presumption of good faith: review Hernandez v Cremer (5th Cir 1990)	0.16667	400.00	66.67

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**Matter:** Pool v Houston-appeal

Date	Description	Hours	Rate	Amount
2/27/2020	Review A. Whatley's draft brief and edit factual section; edit general organization and add heading for demonstration of the severe burden on petition rights; discuss further research into standard for Rule 59 denial appeals where evidence proffered by non-movants but not considered by district court	2.06667	400.00	826.67
2/27/2020	Revise brief: statement of case and argument	1.65	400.00	660.00
2/28/2020	Brief: revise sections on standard of review and establishing severe burden on First Amendment petition activity	2	400.00	800.00
2/28/2020	Brief: revise statement of the case; revise argument sections while A. Whatley prepares tables and drafts summary of the argument; revise summary of the argument	5	400.00	2,000.00
	<b>SUBTOTAL - OPENING BRIEF</b>			7,680.01
4/23/2020	Review Plaintiffs' brief; review Defendants' brief	1.56667	400.00	626.67
4/24/2020	Continue reviewing City's brief and note certain points for reply	1.4	400.00	560.00
4/24/2020	Email A. Whatley with preliminary thoughts as to certain issues to revise in the outline	0.81667	400.00	326.67
4/25/2020	Review selected City citations as to standing and review standing research; phone w/ A. Whatley to discuss direction of standing research	1.33333	400.00	533.33
4/25/2020	Review selected standing notes in Firm file to identify authority close to our point; review Steffel and Ellis v. Dyson; begin research notes for reply points on standing and mootness	1.68333	400.00	673.33
4/27/2020	Review City's primary authorities for injury in fact standard; note distinguishing factors; review leading Supreme Court cases regarding same	3.93333	400.00	1,573.33

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**To Client:**

Trent Pool, et al

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**Invoice #:** 1401

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**Due Date:** 10/28/2020

**Matter:** Pool v Houston-appeal

Date	Description	Hours	Rate	Amount
4/28/2020	Review A. Whatley's draft outline and discuss arguments regarding standing and mootness; revise outline	1.66667	400.00	666.67
5/4/2020	Research standing and mootness Supreme Court decisions (NY State Rifle and Pistol v NYC;	0.9	400.00	360.00
5/5/2020	Review Justice v. Hosemann closely for standing/mootness facts and discussion; review City's brief again	1	400.00	400.00
5/6/2020	Review draft reply and revise draft and revise outline; email A. Whatley with comments	1.75	400.00	700.00
5/7/2020	Draft standing section of reply brief	4.03333	400.00	1,613.33
5/8/2020	Draft standing section	5.15	400.00	2,060.00
5/8/2020	Draft reply	4.81667	400.00	1,926.67
	<b>SUBTOTAL - REPLY BRIEF</b>			<b>12,020.00</b>
6/22/2020	Prepare notice of appeal from order denying fees; review Fifth Circuit rules regarding stay to hold briefing schedule until merits appeal is decided	0.71667	400.00	286.67
7/9/2020	Phone call from S. Chauvin regarding potential joint motion to stay/abate attorneys fee appeal; review briefing notice letter and prepare and file notice of appearance form	0.51667	400.00	206.67
7/16/2020	Research for caselaw examples of requests for stays of related appeals pending decision in other appeal	0.86667	400.00	346.67
7/17/2020	Draft email to opposing counsel with suggestions regarding joint motion for stay of briefing in fee appeal	0.5	400.00	200.00
7/25/2020	Begin drafting motion for stay of briefing schedule; realize that the court's order raises the question whether it is an impermissible reconsideration of the underlying merits while the merits are on appeal	0.35	400.00	140.00

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281-404-4696 jerad@najvarlaw.com

**To Client:**

Trent Pool, et al

**Fee Statement**

**Invoice #:** 1401

**Invoice Date:** 10/28/2020

**Due Date:** 10/28/2020

**Matter:** Pool v Houston-appeal

Date	Description	Hours	Rate	Amount
7/25/2020	Research caselaw concerning the standard for what district court orders interfere with or are precluded by appellate jurisdiction on underlying case; begin drafting motion to stay briefing	3.26667	400.00	1,306.67
7/27/2020	Review Fifth Circuit caselaw regarding scope of district court authority when the case is already on appeal, particularly focusing on whether the Fifth Circuit has recognized and applied the broad language of Griggs	2.65	400.00	1,060.00
7/28/2020	Review briefing and review district court's order denying fees to determine whether or to what extent the order raises the standing issue and consider whether we have addressed it sufficiently or would alternatively benefit from briefing it further as opposed to simply requesting stay of briefing in fee appeal	2.08333	400.00	833.33
7/28/2020	Draft joint stay motion; email draft to opposing counsel	1.21667	400.00	486.67
7/29/2020	Review and reply to S. Chauvin email regarding revisions to joint motion to stay	0.56667	400.00	226.67
7/29/2020	Review and reply to S. Chauvin's email disputing the rationale as to a stay	0.3	400.00	120.00
7/30/2020	Revise motion to be an unopposed motion by appellants rather than a joint motion; final edits and file same	0.56667	400.00	226.67
	<b>SUBTOTAL - MOTION TO STAY FEE APPEAL</b>			<b>5,440.02</b>
10/1/2020	Review Pool opening brief and note points for argument preparation and further research	1.2	400.00	480.00
10/1/2020	Review City's brief and Plaintiffs' Reply and continue notes regarding points for argument	2.35	400.00	940.00
10/1/2020	Review standing caselaw	0.8	400.00	320.00

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281-404-4696 jerad@najvarlaw.com

**To Client:**

Trent Pool, et al

**Fee Statement**

**Invoice #:** 1401

**Invoice Date:** 10/28/2020

**Due Date:** 10/28/2020

**Matter:** Pool v Houston-appeal

Date	Description	Hours	Rate	Amount
10/2/2020	Review caselaw regarding standing (Gratz v. Bollinger; Johnson v. Moore; Stringer v. Whitley)	1.56667	400.00	626.67
10/6/2020	Review standing notes; Carr; John Doe v Reed; elaborate outline as to standing and relationship with mootness	2.25	400.00	900.00
10/7/2020	Prepare for and present oral argument by video	5.08333	400.00	2,033.33
	SUBTOTAL - ORAL ARGUMENT			5,300.00
10/26/2020	Phone w/ Trent Pool to update as to Fifth Circuit decision	0.4	400.00	160.00
10/26/2020	Draft press release announcing circuit decision	1	400.00	<del>400.00</del>
10/26/2020	Meeting with Trent Pool to discuss press release	0.2	400.00	<del>80.00</del>
10/27/2020	Carefully review panel opinion and make notes as to strong and weak points as relevant to proceeding on remand	0.73333	400.00	293.33
				453.33

Thank you for your confidence.  
NLF EIN:27-4082586

**Statement Total** \$43,466.69

**Payments/Credits** \$0.00

**Client Balance Due** \$141,445.07

**Najvar Law Firm, PLLC**

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281-404-4696 jerad@najvarlaw.com

**To Client:**

Trent Pool, et al

**Fee Statement**

**Invoice #:** 1422

**Invoice Date:** 2/23/2021

**Due Date:** 2/23/2021

**Matter:** En banc rehrg

Date	Description	Hours	Rate	Amount
11/4/2020	Reply to C. Peddie email as to request for extension of deadline for rehearing petition	0.1	400.00	40.00
12/24/2020	Review petition for rehearing en banc and begin notes for response	0.7	400.00	280.00
12/29/2020	Prepare motion for extension of time to file response to rehearing petition, after receiving clerk's notice that a formal motion is required	0.75	400.00	300.00
1/5/2021	Review Spell v. Edwards and begin reviewing cases cited therein discussing voluntary cessation and mootness; review Nike v. Already LLC regarding same	1.08333	400.00	433.33
1/7/2021	Review caselaw on voluntary cessation (finish BVCL v. Bryan, review Amawi v Paxton); [REDACTED]	1.4	400.00	560.00
1/8/2021	Research voluntary cessation recent cases from Fifth Circuit and outline pertinent points (FFRF v Abbott, Yarls v Bunton, Amawi)	1.93333	400.00	773.33
1/9/2021	Review voluntary cessation cases	3	400.00	1,200.00
1/10/2021	Review panel decision	0.2	400.00	80.00
1/10/2021	Draft response to petition for rehearing en banc	3.9	400.00	1,560.00
1/11/2021	Draft response to petition for rehearing en banc	10.2	400.00	4,080.00
1/13/2021	Phone w/ T. Pool for update after filing response and strategy for going forward	0.3	400.00	120.00

Thank you for your confidence.  
NLF EIN:27-4082586

**Statement Total** \$9,426.66

**Payments/Credits** \$0.00

**Client Balance Due** \$141,245.07



**Najvar Law Firm, PLLC**

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Suite 255  
Houston, TX 77018

281-404-4696 jerad@najvarlaw.com

**To Client:**

Trent Pool, et al

**Fee Statement**

Invoice #: 1565

Invoice Date: 7/29/2022

Due Date: 7/29/2022

**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
2/1/2021	Receive and review order denying rehearing	0.1	400.00	40.00
2/9/2021	Review mandate issued today in merits appeal and associated documents; review calendar invite from A. Whatley regarding fee appeal briefing notice and calendar deadline	0.15	400.00	60.00
2/18/2021	Receive and review Notice of Setting and calendar deadline for joint discovery case management plan and scheduling conference	0.1	400.00	40.00
2/23/2021	Review status of attorneys' fee request: review fee request and documentation to determine how the request must be modified after appellate victory and remand; compile and review invoice for time incurred on rehearing phase	1.15	400.00	<del>460.00</del> 135
2/25/2021	Phone w/ P. Rossi to discuss next steps in case	0.28333	400.00	113.33
3/10/2021	Phone w/ P. Rossi to discuss next steps; review Supreme Court decision from this week; take notes regarding points to consider for demand for consent decree and points for litigation if no consent decree	1.71667	400.00	686.67
3/11/2021	Review Pool panel opinion; review City's (rejected) reply in support of its petition for rehearing en banc; draft email to City counsel regarding next steps and potential agreements and email to P. Rossi for review	2.75	400.00	1,100.00
3/12/2021	Phone w/ S. Chauvin regarding 26(f) report and positions regarding potential agreed judgment	0.3	400.00	120.00
3/12/2021	Phone w/ P. Rossi to discuss conference with City attorneys and strategy moving forward	0.4	400.00	160.00
3/15/2021	Review and revise draft Rule 26(f) report and email same to opposing counsel for review	2.26667	400.00	906.67

Thank you for your confidence.  
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**Statement Total****Payments/Credits**

<b>Client Balance Due</b>
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281-404-4696 jerad@najvarlaw.com

**To Client:**

Trent Pool, et al

**Fee Statement**

**Invoice #:** 1565

**Invoice Date:** 7/29/2022

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**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
3/15/2021	Review City's proposed changes to joint Rule 26(f) report and phone twice w/ S. Chauvin to discuss same; complete and file final joint case discovery management plan	1.25	400.00	500.00
3/16/2021	Email P. Rossi with thoughts regarding new revelation that City actually passed ordinance in December	0.15	400.00	60.00
3/17/2021	Reply to email from P. Rossi regarding amending complaint, new potential plaintiff, and preparation for scheduling conference	0.16667	400.00	66.67
3/18/2021	Receive City's motion to dismiss complaint	0.1	400.00	40.00
3/19/2021	Review email from P. Rossi with thoughts before scheduling conference; review City's motion to dismiss; begin outlining points for scheduling conference	1.25	400.00	500.00
3/19/2021	Phone conference w/ P. Rossi to discuss next steps after scheduling conference	0.65	400.00	260.00
3/20/2021	Review and file scheduling order entered yesterday; email order with thoughts as to amending complaint and merits arguments to P. Rossi	0.43333	400.00	173.33
4/1/2021	Review and revise draft second amd complaint; discuss with P. Rossi	2.21667	400.00	886.67
4/1/2021	Revise motion for leave and proposed order; complete revisions to second amended complaint; prepare all for filing and attempt to file, encounter technical problems with PACER; phone w/ A. Whatley regarding same; email opposing counsel after midnight noting problems and provide copies of documents	1	400.00	400.00
4/2/2021	Revise motion for leave to file second amended complaint to address late filing due to technical difficulties; file all documents	1.03333	400.00	413.33

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**Due Date:** 7/29/2022

**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
	SUBTOTAL - THRU MTN FOR LEAVE TO FILE SECOND AMENDED COMPLAINT			6,986.67
4/6/2021	Review City's motion to dismiss complaint in detail and begin outline of points for response	0.61667	400.00	246.67
4/6/2021	Review and reply to email from C. Peddie regarding position on motion to dismiss fee appeal as unripe	0.45	400.00	180.00
4/6/2021	Finish reviewing motion to dismiss complaint and expand outline; discuss research points with A. Whatley and assign Whatley to review and research voluntary cessation cases regarding sufficiency of defendants' efforts at voluntary cessation to establish mootness while Najvar proceeds with review and research of declaratory judgment function and application in First Amendment speech chill context	1.06667	400.00	426.67
4/6/2021	Draft email for A. Whatley outlining research parameters for voluntary cessation issue	0.13333	400.00	53.33
4/6/2021	Locate folder with prior research into declaratory judgments for review for caselaw demonstrating importance/jurisdiction over declaratory judgment here	0.11667	400.00	46.67
4/7/2021	Review caselaw regarding intent and application of declaratory judgments act and application in Fifth Circuit	1	400.00	400.00
4/7/2021	Review caselaw regarding intent and application of declaratory judgments act and mootness questions; begin outline of response to MTD complaint	3.18333	400.00	1,273.33
4/7/2021	Elaborate outline	0.6	400.00	240.00
4/8/2021	Discuss research as to standard of review of 12(b)(1) in voluntary cessation context with A. Whatley and direct further, narrowed research	0.2	400.00	80.00

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**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
4/8/2021	Draft response to MTD, reviewing mootness caselaw as required;	11.5	400.00	4,600.00
4/9/2021	Print and file final version of response to motion to dismiss in pleading binder	0.1	400.00	40.00
4/9/2021	Begin notes on points to reiterate or distill in reply in support of motion for leave to amend	0.1	400.00	40.00
	<b>SUBTOTAL - PREPARING RESPONSE TO CITY'S SECOND MOTION TO DISMISS</b>			<b>7,626.67</b>
4/9/2021	Review earlier Level 1 extension request filed with respect to briefing deadline for fee appeal brief and discussion of status of potential agreement with Houston as to stay; review calendar and calendar deadline for response to City's surprise motion to dismiss fee appeal; consider deadlines and email opposing counsel for position on request for six-day extension	0.48333	400.00	193.33
4/10/2021	Prepare request for extension of time regarding response to motion to dismiss TRO fee appeal	0.6	400.00	240.00
4/20/2021	Discuss division of issues for briefing with A. Whatley; print and gather cases cited by City for review	0.21667	400.00	86.67
4/21/2021	Draft response to motion to dismiss TRO fee appeal	3.8	400.00	1,520.00
4/21/2021	Review and revise A. Whatley's draft brief	1.96667	400.00	786.67
	<b>SUBTOTAL - TRO FEE APPEAL</b>			<b>2,826.67</b>
5/1/2021	Review City's response to Pool's motion for leave to amend and leave some comments in document for A. Whatley review	0.23333	400.00	93.33
5/4/2021	Review briefing; review draft reply in support of motion to amend and make notes for revisions for A. Whatley; discuss same with A. Whatley	1.36667	400.00	546.67

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**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
5/5/2021	Review City's reply in support of motion to dismiss complaint and take notes regarding mootness arguments	0.93333	400.00	373.33
5/5/2021	Discuss argument regarding prejudice w/ A. Whatley	0.3	400.00	120.00
5/5/2021	Review caselaw and outline reply ISO mtn for leave to file second amended complaint	2.1	400.00	840.00
5/10/2021	Receive order granting motion for leave to file second amended complaint	0.1	400.00	40.00
	SUBTOTAL - RE PLAINTIFFS' MOTION TO AMEND COMPLAINT			2,013.33
5/18/2021	Receive email from C. Peddie requesting position on request for extension (of City's briefing deadline for TRO fee appeal) until after order on motion to dismiss fee appeal; draft response	0.4	400.00	160.00
5/18/2021	Emails w/ C. Peddie regarding potential extension of City's briefing deadline	0.1	400.00	40.00
5/21/2021	Review Pool's response to motion to dismiss fee appeal and then review City's reply	0.38333	400.00	153.33
	SUBTOTAL - TRO FEE APPEAL			353.33
5/25/2021	Review C. Peddie's email requesting position on extension to 40 pages for amended motion to dismiss complaint; consider strategy and posture of case with A. Whatley; draft response to C. Peddie	0.7	400.00	280.00
5/25/2021	Receive City's Amended Motion to Dismiss Second Amended Complaint	0.1	400.00	40.00
5/25/2021	Review and reply to email from S. Chauvin regarding references to potential agreed judgment	0.1	400.00	40.00
6/10/2021	Review amended motion to dismiss (about halfway through reading and noting points for reply)	0.7	400.00	280.00

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Trent Pool, et al

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**Due Date:** 7/29/2022

**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
6/11/2021	Continue reviewing remainder of City's amended motion to dismiss and note points for response outline	0.78333	400.00	313.33
6/12/2021	Review and revise, elaborate outline for response to amended MTD	1.2	400.00	480.00
6/14/2021	Review outline and discuss additional research with A. Whatley regarding cases considering "consent to jurisdiction" substitutes to nail down the particulars	0.41667	400.00	166.67
6/14/2021	Review caselaw citing to or following Wise v Lipscomb principle	1.43333	400.00	573.33
6/15/2021	Draft response to motion for leave to file excess pages (not filed)	2.25	400.00	<del>900.00</del> BJ
7/6/2021	Draft and file notice regarding status of Defendants proposed amended MTD (noting that Defendants had not yet filed the amended MTD on the docket after leave was granted so as to establish submission deadline)		400.00	400.00
7/15/2021	Receive and review City's letter regarding submission deadline/filing of amended MTD	0.2	400.00	80.00
7/21/2021	Review docket closely and examine motions, proposed orders, and signed orders in all instances involving a motion for leave granted; review Defendants' July 15 letter and our July 6 Notice of Status; review case cited by Defendants; draft and file response to July 15 letter	2.4	400.00	960.00
7/27/2021	Receive and review court order establishing deadline for Plaintiffs to file response to amended MTD	0.1	400.00	40.00
7/30/2021	Review outline and email A. Whatley with two issues to research/draft today (standards section, and unconstitutional conditions)	0.25	400.00	100.00

Thank you for your confidence.  
NLF EIN:27-4082586

**Statement Total****Payments/Credits****Client Balance Due**

**Najvar Law Firm, PLLC**

2180 North Loop West  
Suite 255  
Houston, TX 77018

281-404-4696 jerad@najvarlaw.com

**To Client:**

Trent Pool, et al

**Fee Statement**

**Invoice #:** 1565

**Invoice Date:** 7/29/2022

**Due Date:** 7/29/2022

**Matter:** Pool v Houston

Date	Description	Hours	Rate	Amount
7/31/2021	Review Second Amended Complaint and Defendants' amended MTD/MSJ and continue outline of response in general	1.75	400.00	700.00
7/31/2021	Continue outline regarding voluntary cessation burden and review relevant caselaw	3.3	400.00	1,320.00
8/1/2021	Prepare outline for response to amended MTD, regarding challenged to amended ordinance; email A. Whatley with division of parts of response each of us should focus on for preparing draft for Monday	5.5	400.00	2,200.00
8/2/2021	Draft response to amended MTD; draft supplemental declaration of Trent Pool (supplementing facts to explain burden from charter prohibition on outside circulators, and burden under Defective Circulator Affidavit in new ordinance)	5.33333	400.00	2,133.33
	<b>SUBTOTAL - RESPONSE TO CITY AMENDED MOTION TO DISMISS COMPLAINT</b>			11,006.66
8/9/2021	Receive and review City motion for leave to file excess pages in reply ISO amended MTD (which also states claim that Plaintiffs exceeded the page limit by filing "27 page response"), and City proposed reply (which asks for Plaintiffs' response to be struck under Procedure 4(H) for allegedly including 7 excess pages)		400.00	400.00
8/12/2021	Revise and file letter regarding page limits, explaining why Defendants' new arithmetic for page counts is erroneous and contradicts its own practice	0.51667	400.00	206.67
8/31/2021	Review and revise draft for Plaintiffs' First Set of Discovery Requests (interrogatories and requests for production)	1.5	400.00	600.00

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Date	Description	Hours	Rate	Amount
9/28/2021	Review City's motion for stay and protective order; review selected cases from motion; begin drafting response	2.05	400.00	820.00
10/1/2021	Receive and review City's responses/objections to discovery requests	0.3	400.00	120.00
10/14/2021	Discuss arguments for response to motion to stay and objections to discovery w/ A. Whatley	0.2	400.00	80.00
10/20/2021	Review order granting City's motion to stay/protective order	0.1	400.00	40.00
	SUBTOTAL - DISCOVERY/RESPONDING TO CITY'S DISPUTE RE PAGE LIMITS			2,266.67
10/29/2021	Review Pool's response to Defendants' amended MTD/MSJ and discuss certain arguments w/ A. Whatley	1.5	400.00	600.00
10/30/2021	Email A. Whatley with delegation of issues to prepare for motion for summary judgment (MSJ) due Monday	0.2	400.00	80.00
10/30/2021	Review City's reply ISO MTD/MSJ and begin outline for Pool MSJ	0.78333	400.00	313.33
11/1/2021	Review cases regarding voluntary cessation	1.6	400.00	640.00
11/1/2021	Draft MSJ	1.2	400.00	480.00
11/1/2021	Draft MSJ sections on mootness; review remaining sections to organize and tailor for summary judgment rather than in response to Defendants' motions	1	400.00	400.00
11/1/2021	Discuss revisions to draft MSJ w/ A. Whatley	0.2	400.00	80.00
11/1/2021	Draft MSJ	2	400.00	800.00
	SUBTOTAL - DRAFTING PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT			3,393.33
12/9/2021	Receive and review order reassigning case to J. Rosenthal	0.1	400.00	40.00

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Date	Description	Hours	Rate	Amount
12/13/2021	Review Pool MSJ	0.3	400.00	120.00
12/14/2021	Review arguments; draft reply ISO MSJ introduction and mootness section discussing reliance on Buckley	6.63333	400.00	2,653.33
12/15/2021	Draft reply: mootness	1.7	400.00	680.00
12/15/2021	Draft reply: mootness	4.65	400.00	1,860.00
12/15/2021	Draft reply: mootness	1.4	400.00	560.00
12/15/2021	Draft reply; finalize and file	5	400.00	2,000.00
	SUBTOTAL - REPLY IN SUPPORT OF MSJ			7,913.33
1/3/2022	Review J. Rosenthal order for supplemental briefing	0.1	400.00	40.00
1/11/2022	Calendar deadlines for supplemental responses and new hearing setting	0.1	400.00	40.00
1/12/2022	Phone w/ A. Whatley regarding City's supplemental response (ECF 95)	0.1	400.00	40.00
1/18/2022	Review Plaintiffs' MSJ and reply in support thereof; review Judge Rosenthal's order for supplemental briefing; review City's supplemental brief	1.86667	400.00	746.67
1/18/2022	Outline supplemental response	0.21667	400.00	86.67
1/19/2022	Review caselaw regarding City's "void ab initio" argument (Alexander; Montgomery; McKinley)	0.98333	400.00	393.33
1/19/2022	Review caselaw continued	2.18333	400.00	873.33
1/20/2022	Continue reviewing caselaw as to voluntary cessation and purpose of declaratory judgments; begin drafting response	5.15	400.00	2,060.00
1/21/2022	Draft response	2.36667	400.00	946.67
1/21/2022	Draft response, reviewing caselaw as to voluntary cessation, and especially searching for relevant holdings illustrating judgments entered despite govt concessions of the merits	8.25	400.00	3,300.00
	SUBTOTAL - SUPPLEMENTAL RESPONSE PER COURT ORDER			8,526.67

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Date	Description	Hours	Rate	Amount
1/24/2022	Review Pidgeon and related cases illustrating treatment of Obergefell and tangential litigation	0.9	400.00	360.00
1/24/2022	Continue caselaw research (Zwickler and progeny; City of Lakewood and progeny); continue outline for hearing	4	400.00	1,600.00
1/25/2022	Revise hearing outline, reviewing briefing	2.73333	400.00	1,093.33
1/25/2022	Attend motions hearing by Zoom	1	400.00	400.00
	SUBTOTAL - PREPARE FOR AND ATTEND MOTIONS HEARING BY ZOOM			3,453.33
1/27/2022	Review City's post-hearing letter brief and begin reviewing cited authorities and making outline of potential points for a response	1.08333	400.00	433.33
1/28/2022	Draft letter responding to Houston's letter brief	1.6	400.00	640.00
1/31/2022	Draft response to City's post-hearing letter brief	2.33333	400.00	933.33
2/2/2022	Draft letter brief	2	400.00	800.00
2/3/2022	Draft response to City letter, reviewing Buckley as relevant to standing and level of scrutiny	1.26667	400.00	506.67
	SUBTOTAL - PREPARE RESPONSE TO CITY'S POST-HEARING LETTER (RESPONSE NOT FILED)			3,313.33
2/23/2022	Review Judge Rosenthal's order on dispositive motions	0.5	400.00	200.00
2/23/2022	Phone w/ T. Pool and P. Rossi to discuss order and next steps	0.3	400.00	120.00
2/24/2022	Email City counsel regarding proposal for negotiated amendment to ordinance	0.2	400.00	80.00
3/7/2022	Search Council agendas on City website to determine whether Pool is on the agenda	0.1	400.00	40.00
4/16/2022	Review City's status letter notifying court of City's intent to amend ordinance	0.1	400.00	40.00

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Date	Description	Hours	Rate	Amount
5/25/2022	Review February order on motions for summary judgment as pertains to challenges to the ordinance and email City counsel regarding position on motion to enter judgment	0.3	400.00	120.00
5/25/2022	Draft motion for entry of judgment	1.4	400.00	560.00
5/26/2022	Reply to email from S. Chauvin regarding position on motion to enter judgment	0.1	400.00	40.00
6/6/2022	Receive and review motion by Ground Game Texas to relate cases; review online agenda backup packet to search for agenda item and proposed ordinance; finding no ordinance, email city attorneys to request information on status of actual proposed ordinance	0.48333	400.00	193.33
6/8/2022	Review City response to Ground Game motion	0.05	400.00	20.00
6/14/2022	Receive and review copy of Ordinance 2022-455 and City's notice to court of same	0.2	400.00	80.00
6/17/2022	Phone w/ T. Pool to discuss new ordinance and next steps; email ordinance	0.1	400.00	40.00
6/20/2022	Email City counsel to request position on entry of judgment	0.1	400.00	40.00
6/30/2022	Prepare and file letter notice regarding entry of judgment	0.35	400.00	140.00
7/11/2022	Research J. Rosenthal orders regarding declaratory judgment for examples reflecting entry of judgment in separate document	1.3	400.00	520.00
7/11/2022	Draft proposed declaratory judgment	0.56667	400.00	226.67
7/12/2022	Prepare draft final judgment, reviewing example declaratory judgments from other petition cases, and email to City attorneys	1.1	400.00	440.00
7/20/2022	Prepare request for entry of final judgment and review proposed final judgment in light of Defendants' opposition; review memorandum and opinion; finalize letter and file with proposed judgment	0.91667	400.00	366.67

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